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09/360,719	07/27/1999	PAUL C. ROGERS	3548/010	4567

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EXAMINER

ANWAH, OLISA

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 06/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/360,719

**Applicant(s)**

ROGERS ET AL.

**Examiner**

Olisa Anwah

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-309 is/are pending in the application.
- 4a) Of the above claim(s) See Continuation Sheet is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4-7,17-24,27-30,36,139,142-157,270-273 and 283-286 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

Continuation of Disposition of Claims: Claims withdrawn from consideration are 2,3,8-16,25,26,31-35,37-138,140,141,158-269,274-282 and 287-309.

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**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4-7 and 17-22 are rejected under 35 U.S.C § 103(a) as being unpatentable over Robinson et al, U.S. Patent No. 5,533,102 (hereinafter Robinson) in view of Greco et al, U.S. Patent No. 5,568,540 (hereinafter Greco).

Regarding claim 1, Robinson discloses a call management system (10) comprising:

at least one user position, comprising a computer workstation (14, Figures 1 and 4) and associated telephone apparatus (12, Figures 1 and 4);

a call management computer (38+26, Figures 1 and 4);

a digital data network connecting the workstation of said at least one user position with said call management computer (Figure 4);

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said call management computer including means for intercepting an incoming call to said at least one user position (col. 7, lines 24-30);

a storage means for storing at least one processing rule for determining how an intercepted call is to be processed (see Figure 5);

means for determining that the intercepted call is for said at least one user position (col. 7, lines 24-30);

means for interacting with the workstation of said at least one user position to determine how the intercepted call is to be processed (col. 7, lines 30-34 and line 65 to col. 8, line 67);

means for processing the call according to instructions received from the workstation of the user (columns 6-9 and Figures 3-8);

means for allowing the user to modify the at least one processing rule (see Figure 7);

wherein said call management computer includes means for identifying the calling party and (col. 8, line 52).

wherein said at least one processing rule is selected based on at least one of the call type and the calling party (see Figure 5).

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With respect to claim 1, Robinson does not disclose said call management computer includes means for identifying a call type for the incoming call. However Greco teaches this limitation (see Figure 2). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Robinson with the identifying means taught by Greco. This modification would allow a called party to determine whether a message is an email message, a voice message or a fax message as suggested by Greco (see col. 4, lines 55-65).

Regarding claims 4-7, 17 and 18 see Figure 2 and col. 4, lines 55-65 of Greco.

Regarding claim 19, see column 4 of Greco.

Regarding claims 20 and 21, see Figure 2 and column 4 of Greco.

Regarding claim 22, see column 4 of Greco.

3. Claims 23 and 29 is rejected under 35 U.S.C § 103(a) as being unpatentable over Robinson combined with Greco in further view of Underwood et al, U.S. Patent No. 5,805,673 (hereinafter Underwood).

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Regarding claim 23, Robinson combined with Greco does not disclose the limitation of, "means for identifying the fax calls by detecting CNG signals". Underwood discloses this limitation (see abstract). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Robinson combined with Greco with a means for identifying the fax calls by detecting CNG signals as taught by Underwood. This modification allows the system to differentiate between fax sending and fax receiving calls as suggested by Underwood (column 3).

Claim 29 is rejected for the same reasons as claim 23.

4. Claim 24 and 30 are rejected under 35 U.S.C § 103(a) as being unpatentable over Robinson combined with Greco in further view of Klingman, U.S. Patent No. 5,721,729 (hereinafter Klingman).

Regarding claim 24, Robinson combined with Greco does not disclose means for identifying said fax calls by detecting ISDN messages. However, Klingman discloses a means for identifying said fax calls by detecting ISDN messages (col. 10, lines 25-35). Therefore it would have been obvious to one of ordinary skill in the art at the

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time the invention was made to further modify Robinson combined with Greco with a means for identifying fax calls by detecting ISDN messages as taught by Klingman. This modification provides a universal call processing system that can detect and process all information types transmitted through a telephone line via an ISDN network.

Claim 30 is rejected for the same reasons as claim 24.

5. Claims 27 and 28 are rejected under 35 U.S.C § 103(a) as being unpatentable over Robinson combined with Greco in further view of Godbole, U.S. Patent No. 5,065,427 (hereinafter Godbole).

Regarding claim 27, Robinson combined with Greco does not disclose means for identifying said data calls by detecting DTMF signals. However, Godbole disclose a means for identifying said data calls by detecting DTMF signals (col. 2, lines 55-65). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Robinson combined with Greco to includes a means for identifying said data calls by detecting DTMF signals as taught by Godbole. This modification allows the system to detect calls from data



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modems that do not transmit a calling tone as suggested by Godbole.

Claim 28 is rejected for the same reasons as claim 27.

6. Claim 36 is rejected under 35 U.S.C § 103(a) as being unpatentable over Robinson combined with Greco in further view of Monnot et al, U.S. Patent No. 5,432,618 (hereinafter Monnot).

Regarding claim 36, Robinson combined with Greco does not disclose the limitation of, "a system wherein an identifying message is returned to the calling fax machine which confirms the identity of the called party". Monot discloses this limitation (see abstract). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Robinson combined with Greco to include a system wherein an identifying message is returned to the calling fax machine which confirms the identity of the called party as taught by Monot. This modification allows for the certification of fax transmissions.

7. Claims 139 and 142-156 are rejected under 35 U.S.C § 103(a) as being unpatentable over Robinson combined with

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Greco in further view of Pepe et al, U.S. Patent No.

5,742,905 (hereinafter Pepe).

With respect to claim 139, Robinson combined with Greco does not disclose the types of calls determine, at least in part, the at least one processing rule. However Pepe discloses this limitation (see col. 5, line 60 to col. 6, line 35). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Robinson and Greco with a system wherein the types of calls determine, at least in part, the at least one call processing rule as taught by Pepe. This modification would allow the user to establish a set of rules that specify how the user is to be notified of various types of messages as suggested by Pepe (see col. 5, line 60 to col. 6, line 35).

Regarding claim 142, see col. 5, line 60 to col. 6, line 35 of Pepe.

Regarding claim 143, see Figure 7 of Robinson.

Regarding claim 144, see col. 5, line 60 to col. 6, line 35 of Pepe. Also see Figure 7 of Robinson.

Regarding claim 145, see col. 3, lines 15-25 of Pepe. Also see column 31 of Pepe.

Regarding claim 146, see col. 3, lines 15-25 of Pepe.

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Regarding claim 147, see column 31 of Pepe.

Regarding claim 148, see Figure 5 of Robinson. Also see col. 3, lines 15-25 of Pepe.

Regarding claim 149, see Figure 5 of Robinson. Also see col. 3, lines 15-25 of Pepe.

Regarding claim 150, see column 30 of Pepe.

Regarding claim 151, the combination of Robinson, Greco and Pepe fails to teach the other destination is a destination on the Internet. "Official Notice" is taken that this limitation is both old and well known in the art. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Robinson, Greco and Pepe with a system wherein the other destination is a destination on the Internet. This modification would allow for calls to be received via an Internet Phone.

Regarding claim 152, see Figure 44 of Pepe.

Regarding claim 153, see columns 29 and 30 of Pepe. Also see Figure 44 of Pepe.

Regarding claim 154, see Figure 44 of Pepe.

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Regarding claim 155, see col. 5, line 60 to col. 6, line 35 of Pepe.

Regarding claim 156, see col. 5, line 60 to col. 6, line 35 of Pepe. Also see Figure 44 of Pepe.

8. Claims 157 is rejected under 35 U.S.C § 103(a) as being unpatentable over Robinson combined with Greco and Pepe in view of Kondo, U.S. Patent No. 5,490,205 (hereinafter Kondo).

Regarding claim 157, Robinson combined with Greco and Pepe does not disclose the call processing rule specifies at least in part that a special ringing sound should be used for the call. However Kondo disclose a system wherein a call processing rule specifies at least in part that a special ringing sound should be used for a call (col. 1, lines 50-60). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Robinson combined with Greco and Pepe to include a system wherein a call processing rule specifies at least in part that a special ringing sound should be used for a call as taught by Kondo. This modification allows a user to know whether or not a caller is important to him.

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***Response to Amendment***

9. Applicant's arguments have been considered but are deemed to be moot in view of the new grounds of rejection.

***Conclusion***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 703-305-4814. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

O.A.  
Olisa Anwah  
Patent Examiner  
May 18, 2004

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